

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:24-cv-00107

Leon Buckley,
Petitioner,

v.

Director, TDCJ-CID,
Respondent.

ORDER


This habeas corpus action was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3. On March 25, 2024, the magistrate judge ordered petitioner to either support his *in forma pauperis* application with the required trust account documentation or pay the \$5 filing fee for this case within thirty days. Doc. 4. On April 19, 2024, the magistrate judge granted petitioner an additional thirty days to comply. Doc. 7. Petitioner did not comply.

On June 5, 2024, the magistrate judge issued a report recommending that petitioner's case be dismissed without prejudice due to his failure to comply with the court's order and satisfy the fee requirement for this case. Doc. 9. Petitioner timely filed a written objection. Doc. 10.

The court reviews the objected-to portions of a magistrate judge's report and recommendation de novo. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1). Petitioner's objection argues the merits of his underlying claims and asserts that he does not own stock or receive wages. Doc. 10. However, petitioner does not explain why he has failed to produce a certificate establishing the amount of money in his account as ordered by the court. He has, therefore, failed to comply with the court's orders or to establish that he is entitled to proceed *in forma pauperis*.

Having reviewed the magistrate judge's report de novo, and being satisfied that it contains no error, the court overrules petitioner's objections and accepts the report's findings and recommendation. Petitioner's case is dismissed without prejudice.

So ordered by the court on July 3, 2024.



J. CAMPBELL BARKER
United States District Judge